

United States Court of Appeals For the First Circuit

No. 06-2371

JOSEPH TETI,

Petitioner - Appellant,

v.

KATHLEEN DENNEHY,

Respondent - Appellee.

ORDER OF COURT

Entered: October 4, 2006
Pursuant to 1st Cir. R. 27(d)

This court has docketed petitioner's appeal from the denial of his petition for writ of habeas corpus under 28 U.S.C. §2254. On August 9, 2006, petitioner filed a motion to alter or amend in the district court. Pursuant to Fed. R. App. P. 4 (a)(4)(A), the notice of appeal does not become effective until the district court disposes of the post-judgment motion.

Therefore, appellant is directed to file a status report by **November 3, 2006**, and at thirty day intervals thereafter, informing this court of any action taken by the district court on the post-judgment motion. Further, the appellant is directed to immediately inform this court when the district court disposes of the motion and whether or not he intends to file a notice of appeal or amended notice of appeal from the district court's post-judgment order. See Fed. R. App. P. 4(a)(4)(B). Copies of the district court's ruling shall be forwarded to this court.

Once the district court rules on the motion to alter or amend, appellant is directed to file a request for a certificate of appealability in the district court. See Local Rule 22.1(b).

By the Court:
Richard Cushing Donovan, Clerk

By: MARGARET CARTER
Chief Deputy Clerk

CERTIFIED COPY
I HEREBY CERTIFY THIS DOCUMENT
IS A TRUE AND CORRECT COPY OF
THE ORIGINAL ON FILE IN MY OFFICE
AND IN MY LEGAL CUSTODY.

FIRST CIRCUIT COURT OF APPEALS
BOSTON, MA

By: [Signature] Date: 10/4/06

[certified copies: Honorable Rya W. Zobel, Sarah Allison Thornton, Clerk
United States District Court for the District of Massachusetts]

[cc: Rosemary Curran Scapicchio, Esq., Eva M. Badway, AAG]